IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.249 OF 2003

The Commissioner of Income Tax-V
Pune .. Appellant.

V/s.

Patheja Forgings & Auto Parts Mfg.
Limited, Mumbai .. Respondent.

Mr.R.Asokan i/b. K.B. Rao for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 7TH OCTOBER, 2004.

P.C. :

Mr.R. Asokan, the learned counsel for the revenue submits that he has instructions to withdraw the appeal since the controversy raised in this appeal stands concluded by the judgment of the Supreme Court in the case of CIT V/s. Indo Nippon Chemical Co. Ltd. [261 ITR 275].

2. We accept the statement of the learned counsel for the revenue and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)